THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.13018 of 2006

Date: 29.06.2006

Between:

v. Satyanarayana & others.

… PETITIONERS

AND

The state of A.P., rep., by its
Collector, East Godavari at
Kakinada & others.

… RESPONDENTS

ORDER:-

Heard the learned counsel on record.

2. The writ petition is filed for issuance of writ of Mandamus, or any other appropriate order or direction, declaring the action of the respondents in acquiring petitioners lands measuring Ac.2-09 cents in R.S.No.256, Ac.1-75 in R.S.No.289, Ac.2-29 cents in R.S.No.289 and Ac.1-82 cents in R.S.No.289 of Devarapalli Village of Ravulapalem Mandal, East Godavari District, as per 4(1) Notification, dated 02.05.2006 issued by the 1st respondent as illegal, malafide and arbitrary and for a consequential direction directing the respondents to drop the acquisition proceedings of petitioners lands mentioned above and pass such suitable orders.

3. The main grievance of the petitioners is that dispensing with the 5-A enquiry under the Land Acquisition Act in the facts and circumstances, cannot be sustained. Several of the factual details had been narrated in detail in paras 4 and 5 of the affidavit filed in support of the writ petition.

4. In view of the same, the writ petition is disposed of directing the respondents to conduct enquiry under Section 5-A of the Land Acquisition Act and till then not to dispossess the petitioners from the subject matter of the writ petition. No order as to costs.

P.S. NARAYANA, J

Date: 29.06.2006

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